

CIVIL RIGHTS COMPLAINT
42 U.S.C. § 1983

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ APR 03 2017 ★

MICHAEL PRICE #16004900

Full name of plaintiff/prisoner ID#

LONG ISLAND OFFICE

Plaintiff,

JURY TRIAL DEMAND

YES ☒ NO ☐

-against-

DETECTIVE VINCENT BARGIA (SHIELD # 8548)

DETECTIVE TIMOTHY SEWARD (# 7770)

DETECTIVE MICHAEL MEEHAN (SERIAL # 5654)

Enter full names of defendants

[Make sure those listed above are

identical to those listed in Part III.]

DETECTIVE MILAGROS SERRANO (SHIELD # 1064)
TIMOTHY ROMAN (SERIAL NO. 7798)
LEE GENSER

CV 17 2168

Defendants.

BIANCO, J.

SHIELDS, M.J.

I. Previous Lawsuits:

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? Yes () No (☒)
- B. If your answer to A is yes, describe each lawsuit in the space below (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiffs:

Defendants:

2. Court (if federal court, name the district;
if state court, name the county)

3. Docket Number:

4. Name of the Judge to whom case was assigned: _____

5. Disposition: (for example: Was the case dismissed? Was it appealed? Is it still pending?)

6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____

II. Place of Present Confinement: NASSAU COUNTY CORRECTIONAL CENTER

A. Is there a prisoner grievance procedure in this institution? Yes (✓) No ()

B. Did you present the facts relating to your complaint in the prisoner grievance procedure? Yes () No (✓)

C. If your answer is YES,

1. What steps did you take? _____

2. What was the result? _____

D. If your answer is NO, explain why not N/A

E. If there is no prison grievance procedure in the institution, did you complain to prison authorities? Yes (✓) No ()

F. If your answer is YES,

1. What steps did you take? I FILED AN ARTICLE TO
WRIT OF HABEAS CORPUS TO JUDGE CHRISTOPHER
DOINA, MADELINE SINGAS, REQUESTING RELEASE FROM MICHAEL SPOSATO.

2. What was the result? WRIT WAS PLACED ON COURT
CALENDAR, BUT ULTIMATELY ON THAT COURT DATE
(MARCH 3, 2017) I WAS IGNORED, AND NOT
PRODUCED.

III. Parties:

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff MICHAEL PRICE

Address 100 CARMAN AVE.
EAST MEADOW, N.Y. 11554

(In item B below, place the full name and address of each defendant)

B. List all defendants' names and the addresses at which each defendant may be served. Plaintiff must provide the address for each defendant named.

Defendant No. 1

DETECTIVE VINCENT BURGIA (SHIELD # 8548)
NASSAU COUNTY POLICE DEPARTMENT
NARCOTICS VICE SQUAD

Defendant No. 2

DETECTIVE TIMOTHY SEWARD (# 7770)
ROCKVILLE CENTRE POLICE DEPARTMENT
LONG ISLAND GANG TASK FORCE

Defendant No. 3

DETECTIVE MICHAEL MEEHAN (SERIAL # 5654)
ROCKVILLE CENTRE POLICE DEPARTMENT
LONG ISLAND GANG TASK FORCE

Defendant No. 4

DETECTIVE MILAGROS SERRANO (SHIELD # 1064)
NASSAU COUNTY POLICE DEPARTMENT
NARCOTICS VICE SQUAD

Defendant No. 5

TIMOTHY RONAN (SERIAL NO. 7798)
NASSAU COUNTY POLICE DEPARTMENT
NARCOTICS VICE SQUAD

Defendant No. 6

LEE GENSER
262 OLD COUNTRY ROAD, MINEOLA N.Y. 11501

[Make sure that the defendants listed above are identical to those listed in the caption on page 1].

IV. Statement of Claim:

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 ½ by 11 sheets of paper as necessary.)

On July 14, 2016, at approximately 6 A.M., Detective Vincent Borgia (Shield #8548), Detective Milagros Serrano (Shield #1064), Timothy Seward (#7770), and several law enforcement officers unlawfully intruded into Apartment #342 at 303 Main St., Hempstead, N.Y. 11550, without a valid warrant or consent and unlawfully arrested the legal and legitimate tenants, Michael Pucci and Chasity McBride.

I was not issued a felony complaint accusing me of a crime, yet Detective Borgia arrested me, while I was taken to Police Headquarters in Mineola, where I was "booked", fingerprinted and photographed as a suspect in a crime (conspiracy). I immediately after, I was arraigned in the County Court of Mineola, before Judge Christopher Quinn.

• Additional Pages ^{M.P.} are enclosed •

IV. A If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

Defamation of Character / Public Humiliation

False Arrest

Unlawful Arrest / Imprisonment

Unlawful Trespass

Abuse of Process / Prosecutorial Misconduct

Malicious Prosecution

False Swearing

Tampering with Business Record(s)

Offering False Instruments for Filing

Extreme Emotional Distress

Pain and Suffering

Loss of Business / Income / Wages

Deprivation of Liberty

Loss of Property

Personal Property Damage

IV. STATEMENT OF CLAIM (ADDITIONAL PAGE)

DETECTIVE MICHAEL NEEHAN (#5654) AND DETECTIVE TIMOTHY SEWARD (#7770) SUBMITTED SWORN AFFIDAVITS IN APPLYING FOR TWO (2) SEPERATE SEARCH WARRANTS OF APARTMENT #342 AND THE STORAGE UNIT OF 303 MAIN ST., PROVIDING KNOWINGLY FALSE TESTIMONY.

DETECTIVE VINCENT BORGIA, TIMOTHY SEWARD, DETECTIVE MILAGROS SERRANO (SHIELD #1064), TIMOTHY RONAN (SERIAL NO. 7798) AND OTHER DEFENDANTS WHO'S IDENTITIES ARE SOUGHT BUT NOT YET KNOWN, SEARCHED, VANDALIZED, AND SIEZED NUMEROUS PERSONAL PROPERTY WITHOUT MY PRESENCE OR PERMISSION.

LEE GENSER, EMPLOYED BY THE OFFICE OF THE DISTRICT ATTORNEY, DID LOG INTO AN OFFICE FILE AT THE NASSAU COUNTY POLICE DEPT., IN HEMPSTEAD, AND ALTERED A MATERIAL BUSINESS RECORD, WITH THAT BUSINESS RECORD BEING THE CASE REPORT.

IN THE CASE REPORT (PDEN 3251-216CR0035634), LEE GENSER REMOVED MY CELL PHONE NUMBER WHICH WAS 646-234-1211 AND ENTERED THE TARGET NUMBER OF A CONSPIRACY, THAT BEING 516-528-5698. . . THIS AND HIS ACTIONS LABELED ME A SUSPECT. LEE GENSER ALSO FORGED MATERIAL DOCUMENTS.

ALL DEFENDANTS CONSPIRED AGAINST MY RIGHT TO PRIVACY, PERSONAL PROPERTY, RIGHT TO DUE PROCESS OF LAW, AND DEPRIVED ME OF MY RIGHT TO LIBERTY, AND MY RIGHT TO BE SECURE IN MY PERSON, HOUSE, PAPERS, AND EFFECTS AGAINST UNREASONABLE SEARCHES AND SEIZURES. ALSO DEPRIVED FROM ME IS MY 5TH AND 14TH CONSTITUTIONAL AMENDMENTS, AND 4TH.

SUCH ACTS AND VIOLATIONS, INDIVIDUALLY AND COLLECTIVELY, WERE COMMITTED WHILE OPERATING UNDER THE COLOR OF LAW AND COLOR OF PROCESS, AND THESE DEFENDANTS ARE CIVILLY LIABLE.

V. Relief: INDEMNITY

RESTITUTION

State what relief you are seeking if you prevail on your complaint.

1. COMPENSATION - IN THE SUM OF TWO-MILLION (\$2,000,000) DOLLARS.
2. REPARATION - FOR THE SUM OF TWO-MILLION (\$2,000,000) DOLLARS,
M.P. FOR THE VIOLATION OF MY RIGHTS, PROPERTY, AND PERSON,
AND AS A DETERENT / SECURITY AGAINST THE LIKE FUTURE VIOLATIONS.
3. REDRESS THE DEPRIVATION UNDER THE COLOUR OF LAW, PROCESS, AND STATUTE.
4. AMENDS
5. PUNITIVE DAMAGES - FOR FALSE ARREST AND UNLAWFUL IMPRISONMENT,
MALICIOUS PROSECUTION, ABUSE OF PROCESS, VIOLATIONS OF MY CONSTITUTIONAL RIGHTS UNDER THE FOURTH
AND FOURTEENTH AMENDMENTS, AS WELL AS FIFTH AMENDMENT.
6. MONEY DAMAGES IN THE TOTAL SUM OF FIVE (\$5) MILLION DOLLARS, OR UPON
ASSESSMENT OF THE JURY AFTER TRIAL.
7. PERSONAL PROPERTY RECOVERY / RETURN.

I declare under penalty of perjury that on MARCH 29, 2017, I delivered this
(Date)

complaint to prison authorities to be mailed to the United States District Court for the Eastern
District of New York.

Signed this 28 day of MARCH, 2017. I declare under penalty of
perjury that the foregoing is true and correct.

Michael Price
Signature of Plaintiff

NASSAU COUNTY CORRECTIONAL CENTER
Name of Prison Facility

MICHAEL PRICE

100 CARMAN AVE.

EAST MEADOW, N.Y. 11554
Address

16004900
Prisoner ID#

U.S. IN CLERK'S OFFICE

IN THE MATTER OF THE CLAIM OF

Michael Price
CLAIMANT;

AGAINST

DETECTIVE VINCENT BORGIA (SHIELD # 8548)

DETECTIVE TIMOTHY SEWARD (# 7770)

DETECTIVE MICHAEL MEENAN (SERIAL # 5654)

RESPONDENT: DETECTIVE MILAGROS SERRANO (# 1064)

LEE GENSER

TIMOTHY RONAN (SERIAL # 7798)

NOTICE OF INTENT
TO FILE
CLAIM

PLEASE TAKE NOTICE, THAT THE ABOVE NAMED CLAIMANT HEREBY INTENDS TO MAKE
THE FOLLOWING CLAIM(S);

1. THE NAME(S) AND/OR POST OFFICE ADDRESS OF THE CLAIMANT
IS: MICHAEL PRICE

100 CAILMAN AVE., EAST MEADOW, N.Y. 11554

2. THE NATURE OF THE CLAIM(S);

FALSIFYING BUSINESS RECORD(S), OFFERING FALSE INSTRUMENTS

PROSECUTORIAL MISCONDUCT

FALSE ARREST, UNLAWFUL IMPRISONMENT, TRESPASSING, ABUSE OF PROCESS, MAUCIOUS

PROSECUTION, DEPRIVATION OF LIBERTY AND PROPERTY WITHOUT DUE PROCESS OF LAW.

THE STATE COURT HAS DENIED ME A FULL AND FAIR OPPORTUNITY TO CHALLENGE JURISDICTION.

3. THE TIME(S), DATE(S) AND MANNER IN WHICH THE CLAIM AROSE, AND THE PLACE
WHERE THE CLAIM(S)

AROSE: ON JULY 14, 2016, AT APPROXIMATELY 6 A.M., DET. VINCENT

BORGIA, DET. MILAGROS SERRANO, DET. TIMOTHY SEWARD, TIMOTHY RONAN,

TRESPASSED UPON MY PREMISES AND UNLAWFULLY ENTERED MY APARTMENT, WITHOUT A WARRANT OR

4. THE ITEM(S) OF DAMAGE(S) AND/OR THE INJURIES CLAIMED TO HAVE BEEN SUSTAINED
ARE: CONSENT, ARRESTED ME, SEARCHED AND SEIZED MY PROPERTY.

LOSS OF LIBERTY, AND PROPERTY, EXTREME EMOTIONAL DISTRESS, LOSS OF

INCOME/BUSINESS, PAIN AND SUFFERING, PUBLIC HUMILIATION, PERSONAL

PROPERTY DAMAGE.

THE AFOREMENTIONED CLAIM IS HEREBY PRESENTED TO YOU FOR ADJUSTMENT AND
PAYMENT IN THE SUM OF \$ 5,000,000 ~~FIVE MILLION~~ IN CASE OF YOUR FAILURE TO MAKE
ADJUSTMENT AND PAYMENT WITHIN THE STATUTORY PERIOD IN SUCH CASES MADE AND
PROVIDED, AN ACTION WILL BE COMMENCED AGAINST YOU TO RECOVER A GREATER SUM
DUE TO SAID DAMAGES CLAIMED, TOGETHER WITH THE SUM AND COST.

I, MICHAEL PRICE, THE CLAIMANT IN THE ABOVE CAPTION CLAIM,
VERIFY THAT I AM THE INDIVIDUAL CLAIMANT, THAT THE SAME IS TRUE TO MY KNOWLEDGE
EXCEPT AS TO THOSE MATTERS THEREIN STATED TO BE ALLEGED UPON INFORMATION AND
BELIEF, AND AS TO THOSE MATTERS, I BELIEVE THEM TO BE TRUE.

March
22 ON THIS DAY OF 2017 BEFORE ME PERSONALLY APPEARED MICHAEL
PRICE, THE CLAIMANT IN THE ABOVE CAPTION CLAIM KNOWN TO
BE THE CLAIMANT THEREIN

Michael Price

CLAIMANT

NOTARY

CARMINE PULGRANO
Notary Public, State of New York
No. 01PU6094168
Qualified in Nassau County
Commission Expires June 16, 2019

March 22, 2017

Carmine Pulgrano